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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 PHILIPPE CHARRIOL
12 INTERNATIONAL LIMITED,

Plaintiff,

13 vs.

14 A'LOR INTERNATIONAL
15 LIMITED, and DOES 1 through 10,

16 Defendants.
17

CASE NO. 14CV477-MMA (BGS)

**NOTICE AND ORDER
PROVIDING TENTATIVE
RULING REGARDING
PLAINTIFF'S MOTION FOR
PRELIMINARY INJUNCTION**

18 Presently before the Court, and set for hearing on March 14, 2014, is Plaintiff
19 Philippe Charriol International Limited's motion for preliminary injunction. [Doc.
20 No. 8.] Having considered the submission of the parties, and in anticipation of the
21 upcoming hearing, the Court tentatively **DENIES** Plaintiff's motion.

22 The Court tentatively finds that Plaintiff has failed to meet its burden of
23 *clearly* demonstrating that a preliminary injunction is an appropriate remedy. *See*
24 *Mazurek v. Armstrong*, 520 U.S. 968, 972 (1997) ("[A] preliminary injunction is an
25 extraordinary and drastic remedy, one that should not be granted unless the movant,
26 *by a clear showing*, carries the burden of persuasion."). Tentatively, the Court finds
27 that Plaintiff has not established a likelihood of success on its trademark
28 infringement claim. Additionally, the Court tentatively finds that Plaintiff has not

1 adequately demonstrated irreparable harm, as its grievances are primarily contractual
2 in nature, and the fact that adequate compensatory relief will ultimately be available
3 in the ordinary course of litigation weighs heavily against a claim of “irreparable
4 harm.” *Sampson v. Murray*, 415 U.S. 61, 90 (1974).

5 The parties are advised that this ruling is tentative and the Court will entertain
6 additional argument at the hearing on March 14, 2014.

7 **IT IS SO ORDERED.**

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9 DATED: March 14, 2014

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11 Hon. Michael M. Anello
12 United States District Judge
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